



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 29, 2020

By ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 14C
New York, New York 10007

Re: *United States v. Ethan Phelan Melzer*, 20 Cr. 314 (GHW)

Dear Judge Woods:

The parties write jointly to apprise the Court of the status of the defendant's requests for records and papers used in connection with the constitution of the Master and Qualified Jury Wheels in the United States District Court for the Southern District of New York. The defendant's requests are set forth in the defendant's letter motion filed on June 29, 2020 (Dkt. No. 12), attached hereto as Exhibit A.

As the Court is aware, the defendant's requests are substantially identical to those made made in other cases in this District. *See, e.g., United States v. Balde*, No. 20 Cr. 281 (KPF); *United States v. Williams*, No. 20 Cr. 286 (WHP); *United States v. Henry*, No. 20 Cr. 293 (LJL). On June 30, 2020, pursuant to an order issued by Judge Failla, who is presiding over the *Balde* case, the Government and defense counsel involved in the affected cases, including this one, participated in a conference call with this District's Jury Administrator. After the call, the Government and the Federal Defenders of New York (the "Federal Defenders"), who are defense counsel in the *Balde* case and who also represent the defendant in this matter, agreed to meet and confer about any outstanding issues and submit a proposal to Judge Failla by July 14, 2020.

On July 14, 2020, the Government submitted a letter to Judge Failla that outlined the areas of agreement between the Government and the Federal Defenders and the remaining open disputes. On July 16, 2020, Judge Failla issued an order resolving those disputes and ordering the disclosure of certain jury records in the possession of the Jury Administrator. *See* Exhibit B. The Government understands that the Jury Administrator and her staff are preparing these records for disclosure. Based on the resolution in *Balde*, the defendant is satisfied that Judge Failla's order resolved Requests 1-22 in its motion thereby obviating the need for further litigation before this Court with respect to those requests at this time.

cc: Defense Counsel (by ECF)